

Message Text

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PAGE 01 DUBLIN 00501 141725Z

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 INR-07 NSAE-00 PA-01

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FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC 6579

INFO AMEMBASSY LONDON

AMCONSUL BELFAST

LIMITED OFFICIAL USE DUBLIN 501

E. O. 11652: N/A

TAGS: PINS PINT EI UK (NI)

SUBJ: COURTS REFUSE TO EXTRADITE IRA MURDERER

1. ON MARCH 13, THE DUBLIN HIGH COURT ORDERED RELEASE OF JOHN GALLAGHER, A FUGITIVE FROM NI WHO IS ACCUSED OF MURDERING A POLICE (RUC) CONSTABLE IN 1971. AS WE UNDERSTAND IT, THE BASIS OF GALLAGHER'S DEFENSE WAS AN ADMISSION THAT HE HAD BEEN INVOLVED IN THE MURDER BUT THAT IT WAS A "POLITICAL" OFFENSE, SINCE HE WAS AN IRA MEMBER. THE PRESIDENT OF THE HIGH COURT RULED, IN EFFECT, THAT GALLAGHER COULD NOT BE EXTRADITED BECAUSE THE MURDER WAS "A POLITICAL OFFENSE OR AN OFFENSE CONNECTED WITH A POLITICAL OFFENSE." EXTRADITION UNDER THESE CIRCUMSTANCES IS NOT PERMITTED BY IRELAND'S EXTRADITION ACT.

2. COMMENT: THE REPUBLIC'S REFUSAL TO EXTRADITE KNOWN MURDERERS IS, TO SAY THE LEAST, IRRITATING TO NORTHERNERS. THERE HAVE BEEN MANY SIMILAR CASES OVER THE YEARS. AT THE MOMENT, THERE APPEARS TO BE NO IMMEDIATE PROSPECT OF BRINGING IRA FUGITIVES TO JUSTICE. THE GOVERNMENT'S BILL FOR "EXTRATERRITORIAL" PROSECUTION IS NOT BEING PUSHED AND MAY HAVE BEEN DROPPED. (DUBLIN 105, DUBLIN 1749, 12/5/74).
MOORE

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Message Attributes

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Capture Date: 01 JAN 1994
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Concepts: EXTRADITION, PRISONERS RELEASE
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Draft Date: 14 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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